ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Dansko, LLC v. yangjian
Case No. D2026-3384

1. The Parties

The Complainant is Dansko, LLC, United States of America ("United States" or "US"), represented by Cozen O'Connor, United States.

The Respondent is yangjian, China.

2. The Domain Name and Registrar

The disputed domain name <danskoclub.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 30, 2026. On August 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 4, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 28, 2026.

The Center appointed Pascal Böhner as the sole panelist in this matter on September 2, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant, Dansko, LLC, is a US company. Since 1990, the Complainant has manufactured and sold comfort footwear worldwide, including clogs, boots, sandals, flats, and sneakers.

The Complainant owns numerous trademark registrations in the United States for the DANSKO mark and related marks, including, among others:

1. DANSKO (word mark), United States Registration No. 2712957, registered May 6, 2003, covering footwear, namely casual outdoor shoes and work shoes for use in the health care, food service, equestrian, and general service industries (International Class 25);
2. DANSKO (word mark), United States Registration No. 3265194, registered July 17, 2007, covering footwear and component parts of footwear (International Class 25);
3. DANSKO (word mark), United States Registration No. 3854991, registered September 28, 2010, covering socks (International Class 25).

The disputed domain name was registered on May 27, 2026. The evidence on record shows that the disputed domain name resolves to a website that prominently displays the DANSKO word mark and the Complainant's DANSKO logo, and that purportedly offers for sale footwear products presented under product names used by the Complainant at prices heavily discounted from the Complainant's own retail prices. The website's footer bears the notice "© 2026 Dansko, LLC. All Rights Reserved," and the overall look and feel of the site is similar to the Complainant's own website at "www.dansko.com". Nothing on the website discloses the true relationship (or absence of any relationship) between the Respondent and the Complainant.

According to the WhoIs record and the information provided by the Registrar to the Center, the Respondent is identified as "yangjian," with an address in China.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant contends that the disputed domain name is confusingly similar to the Complainant's DANSKO marks, as it wholly incorporates the DANSKO mark together with the non-distinctive, descriptive term "club," which does nothing to dispel, and in fact increases, the likelihood of confusion, since it suggests a "club" through which consumers may purchase the Complainant's products.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name, as the Respondent is not commonly known by the disputed domain name, has not been authorized by the Complainant to use the DANSKO marks, and is using the disputed domain name to operate a website that prominently displays the Complainant's marks and logo while purporting to offer the Complainant's footwear products, in an apparent attempt to confuse consumers into believing that the website is that of, or is affiliated with, the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith, given the Complainant's long-standing rights in the DANSKO marks, the composition of the disputed domain name, and the Respondent's use of the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the products advertised there.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name wholly incorporates the Complainant's DANSKO mark, adding only the term "club." The Panel finds the DANSKO mark is clearly recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

Although the addition of the term "club" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The addition of the generic Top-Level Domain ".com" does not prevent a finding of confusing similarity, as the applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The WhoIs record identifies the Respondent as "yangjian." There is no evidence that the Respondent is commonly known by the disputed domain name or by any name corresponding to "Dansko" or "Dansko Club" for the purposes of paragraph 4(c)(ii) of the Policy. WIPO Overview 3.1, section 2.3.

Nor can the Respondent's use of the disputed domain name be characterized as a bona fide offering of goods or services. There is no evidence that the Respondent is an authorized dealer, distributor, or licensee of the Complainant, and the Complainant has not authorized, licensed, or otherwise endorsed the Respondent's use of the DANSKO marks. The website resolving from the disputed domain name prominently reproduces the Complainant's DANSKO mark and logo and purports to offer DANSKO-branded footwear, without any disclosure of the actual relationship (or absence of any relationship) between the Respondent and the Complainant. Under the principles applicable to the bona fide offering of goods by resellers or distributors (the so-called "Oki Data" test, see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903), a respondent's use of a domain name incorporating a complainant's mark to sell trademarked goods can only be considered bona fide where, among other requirements, the respondent accurately and prominently discloses the registrant's relationship (or lack thereof) with the trademark owner. Here, the Respondent has done neither: the website conceals the true nature of the Respondent's relationship with the Complainant and instead creates the impression that the website is operated by, affiliated with, or authorized by the Complainant, or at least that some commercial relationship exists between the Parties. Such use fails the Oki Data test and cannot give rise to rights or legitimate interests.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

In the present case, the Respondent registered the disputed domain name on May 27, 2026, many years after the Complainant obtained its earliest DANSKO trademark registrations, and long after the Complainant established a reputation for its footwear. Given the fact that the disputed domain name directly incorporates that mark together with the term "club," and the fact that the disputed domain name resolves to a website prominently displaying the Complainant's marks, it is implausible that the Respondent was unaware of the Complainant's rights when registering the disputed domain name.

The Respondent's use of the disputed domain name confirms bad faith registration and use. The website resolving from the disputed domain name reproduces the Complainant's DANSKO mark and logo, and offers footwear products presented as the Complainant's own goods at substantially reduced prices, thereby intentionally attracting, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and of the products offered there, within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <danskoclub.com> be transferred to the Complainant.

/Pascal Böhner/
Pascal Böhner
Sole Panelist
Date: September 16, 2026